

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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DAVID ATLEE PHILLIPS,
:
PLAINTIFF,
:
VS.
:
DONALD FREED, ET AL.,
:
DEFENDANTS.
:
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CIVIL ACTION NO. 81-1407
JUDGE RICHEY

DAVID ATLEE PHILLIPS,
:
PLAINTIFF,
:
VS.
:
LAWRENCE HILL & CO.
PUBLISHERS, INC., ET AL.,
:
DEFENDANTS.
:
----- X

CIVIL ACTION NO. 81-2578
JUDGE JACKSON

WASHINGTON, D. C.
THURSDAY, MARCH 31, 1983

DEPOSITION OF

DAVID ATLEE PHILLIPS

THE PLAINTIFF, WAS RECALLED FOR FURTHER EXAMINATION BY COUNSEL
FOR THE DEFENDANTS, PURSUANT TO RECESS, TAKEN AT THE LAW
OFFICES OF BIERBOWER & BIERBOWER, 1875 EYE STREET, N. W.,

GAGLIARDI REPORTING COMPANY
1348 Chetworth Court
Alexandria, VA 22314
836-8223

1 SUITE 1275, WASHINGTON, D. C., BEGINNING AT 9:30 A.M.,
2 BEFORE JUDITH R. GAGLIARDI, A NOTARY PUBLIC IN AND FOR THE
3 DISTRICT OF COLUMBIA, WHEN WERE PRESENT ON BEHALF OF THE
4 RESPECTIVE PARTIES:

5 FOR THE PLAINTIFF:

6 MARK BIERBOWER, ESQUIRE
7 BIERBOWER & BIERBOWER
8 1875 EYE STREET, N. W.
9 SUITE 1275
10 WASHINGTON, D. C. 20006

11 FOR THE DEFENDANTS:

12 MELVIN L. WULF, ESQUIRE
13 BELDOCK, LEVINE & HOFFMAN
14 565 FIFTH AVENUE
15 NEW YORK, NEW YORK 10017

16 ALSO PRESENT:

17 LEE S. STRICKLAND, ESQUIRE
18 SPECIAL ASSISTANT, U.S. ATTORNEY
19 U.S. COURTHOUSE
20 THIRD & CONSTITUTION AVENUE, N. W.
21 WASHINGTON, D. C. 20001

22 LAUNIE ZIEBELL, ESQUIRE
ASSOCIATE GENERAL COUNSEL
CHIEF, LITIGATION DIVISION
CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D. C. 20505

LOUIS WOLF

1 A I THINK I RECALL THAT HE DID, YES.

2 Q BUT YOU DON'T THINK THAT THAT WAS THE RESULT OF HIS
3 OVERHEARING YOUR CONVERSATION WITH WILSON?

4 A NO, I DON'T THINK SO.

5 Q DID YOU EVER ASK HIM WHAT THE SOURCE OF THAT
6 SPECULATION WAS?

7 A NO, I DID NOT.

8 Q NOT INTERESTED IN THAT?

9 A I DON'T RECALL ASKING HIM.

10 Q MIGHT YOU HAVE ASKED HIM?

11 A I MIGHT HAVE.

12 Q WHERE IS O'LEARY NOW, STILL LIVING IN WASHINGTON?

13 A YES, SIR.

14 Q STILL EMPLOYED AS A NEWSPAPER REPORTER?

15 A YES, SIR.

16 Q HOW OLD A GENTLEMAN IS HE?

17 A ABOUT, I WOULD GUESS, 62, SOMETHING.

18 Q IN GOOD HEALTH?

19 A IN POOR HEALTH.

20 Q WHAT IS THE PROBLEM WITH HIS HEALTH?

21 A HE HAS HAD TWO OR THREE MASSIVE HEART ATTACKS AND
22 BYPASS SURGERY, AND HE HAS HAD SOME REAL HEART PROBLEMS.

1 Q ARE YOU STILL FRIENDS WITH HIM?

2 A I HAVEN'T SEEN HIM IN SOME TIME, BUT I STILL CON-
3 sider him a very good friend.

4 Q WHEN DID YOU SEE HIM LAST?

5 A OCTOBER OF 1982.

6 Q WHAT WAS THE OCCASION?

7 A ANNUAL CONVENTION OF THE ASSOCIATION OF FORMER
8 INTELLIGENCE OFFICERS.

9 Q DID YOU DISCUSS THESE CASES WITH HIM?

10 A NO, I DID NOT.

11 Q HAVE YOU DISCUSSED THE LETELIER ASSASSINATION WITH
12 ANY OTHER MEMBER OF THE PRESS? I DEFINE THAT AS BEING
13 INFINITE IN SCOPE, ELECTRONIC, PRINT, MAGAZINES, WHATEVER.

14 A I HAVE NEVER, IN DEALING WITH ANY MEMBER OF THE
15 PRESS SINCE THIS OCCURRED, INITIATED A CONVERSATION ABOUT THE
16 LETELIER ASSASSINATION. DURING MY CONVERSATIONS WITH NEWS
17 PEOPLE DURING THAT PERIOD, ON MORE THAN ONE INSTANCE I SEEM
18 TO RECALL THAT PEOPLE ASKED ME WHAT I THOUGHT ABOUT IT. THIS
19 WAS DURING A PERIOD WHEN I WAS THE MEDIA SPOKESMAN FOR THE
20 ASSOCIATION OF FORMER INTELLIGENCE OFFICERS AND, CONSEQUENTLY,
21 I SPOKE TO MANY, MANY, MANY NEWSPAPER PEOPLE.

22 Q THAT WAS YOUR PURPOSE, RIGHT, TO BE A SPOKESMAN FOR